

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION UNDER 37 C.F.R. §1.132

Applicants: Kenneth M. Nicolay, et al.

Serial No.: 10/824,089

Date: October 25, 2005

Filed: April 14, 2004

Group Art Unit: 3677

Exam: André L. Jackson

For: ADJUSTABLE TOOL HANDLE FOR PAINT ROLLERS AND THE LIKE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. We, Kenneth M. Nicolay and Lewis A. Mendelson, are named inventors of both the present application for patent (Serial No. 10/824,089) and Application Serial No. 10/034,671 which issued as U.S. Patent No. 6,592,160.
2. We declare that Kenneth M. Nicolay is the sole inventor of the subject matter of Claims 3, 11, 16 and 17 of the present application.
3. We declare that Kenneth M. Nicolay and Lewis A. Mendelson are jointly the sole inventors of the subject matter of Claims 4, 12, 18, 22 and 23 of the present application.

4. The Examiner has rejected Claims 16-18, 22 and 23 of the present application under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,592,160.
5. The Examiner has rejected Claims 3, 4, 11 and 12 of the present application under 35 U.S.C. §103(a) as being unpatentable over Nelles in view of Crabtree in further view of Nicolay et al. patent No. 6,592,160.
6. To the extent that the subject matter of Claims 3, 11, 16 and 17 of the present application is taught or suggested by U.S. Patent No. 6,592,160, we declare that Kenneth M. Nicolay was the sole inventor of the common subject matter disclosed in U.S. Patent No. 6,592,160.
7. To the extent that the subject matter of Claims 4, 12, 18, 22 and 23 of the present application is taught or suggested by U.S. Patent No. 6,592,160, we declare that Kenneth M. Nicolay and Lewis A. Mendelson were jointly the sole inventors of the common subject matter disclosed in U.S. Patent No. 6,592,160.

8. We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

10/28/05
Date

10/25/05
Date

Kenneth M. Nicolay
Kenneth M. Nicolay

Lewis A. Mendelson
Lewis A. Mendelson